

CONTROL COUNCIL

LAW No. 23

Prohibition of Military Construction in Germany

The Control Council enacts as follows:

Article I

The following are hereby prohibited and declared illegal in Germany:

- a. Preparation, possession or making use of plans or models of any military installations;
- b. Planning, designing, fabrication, erection or construction of any military installations;
- c. Planning, designing or erection of any type of civil construction, where any details in the plan, design, erection or construction provide for their possible utilization for war purposes.

Article II

In this Law the term "military installation" means any construction intended for war purposes on land or sea or in the air, as well as any other construction intended for the maintenance of armed forces, including, but not being limited to, the following: minefields; gun implacements; launching sites for rockets; including anti-aircraft, and other anti-aircraft installations; pillboxes; anti-tank obstacles; command posts, magazines and other fortification works; military and public air raid shelters; any form of shelter for submarine, surface or air facilities of warfare; airfields; naval bases; military ports, arsenals; seaplane bases; telecommunications and radio stations (other than those authorized for the needs of the civilian population); war material depots; strategic bulk petroleum, oil and lubricant installations; military research and proving ground stations; firing and other ranges; underground factories and underground depots; workshops and depots protected against air attack and artillery.

Article III

Any organization, group of persons or individual violating any of the provisions of this Law shall be subject to criminal prosecution before a Military Government court.

Article IV

1. Any individual violating any of the provisions of this Law shall be subject to one of the following penalties, with or without confiscation of property, in whole or in part:

- a. Imprisonment (Gefaengnis) for a term of not less than one year and not more than five years; or
- b. Hard labor (Zuchthaus) for a term of not less than one year and not more than fifteen years; or
- c. In serious cases hard labor for life, or death.

2. The property of any organization violating this Law is subject to confiscation, and the organization itself is subject to dissolution, by order of the court.

Article V

The provisions of this Law do not extend to the construction or retention of any installation necessary for the purpose of maintenance, training and welfare of the occupation forces. Such installations or constructions shall be destroyed or removed prior to or at the time of the termination of the occupation, if but for this Article they would come within the prohibition of Article I.

Article VI

This Law shall come into force on the date of its publication.

Done at Berlin the 10th day of April 1946.

/s/ Joseph T. McNarney
/t/ JOSEPH T. McNARNEY

General

/s/ Montgomery
/t/ MONTGOMERY OF ALAMEIN
Field Marshal

CONTROL COUNCIL

Reply to Recommendations of the World Federation of
Trade Unions.

1. At its 44th Meeting, hold on 18th March, the Coordinating Committee instructed the Manpower Directorate to consider a statement of General KOELTZ, circulated as Appendix 'B' to CORC/M(46)15, and to present its recommendations to the Coordinating Committee within ten days,

2 The first proposal of General KOELTZ was that the Manpower Directorate be instructed to formulate regulations applicable to the four zones permitting:

- (1) The establishment of industrial federations grouping in each zone all the local unions in the same industry.
- (2) The establishment in each Zone of federations consisting of all the existing industrial federations, in the form of periodic conferences assembling the representatives of the said industrial federations.

3. The Directorate of Manpower is in unanimous accord that the following be recommended to Zone Commanders :

- (a) to permit creation in each Zone of industrial federations of trade unions, which will unite all local trade unions in each branch of industry;
- (b) to permit Zonal inter-union federations of trade unions, so that the representatives of all trade unions in the Zone could meet periodically at these inter-union conferences to settle questions of organization and functioning of trade unions, provided that:

- (1) the trade unions are developed and organized on a democratic basis;
- (2) the organization of trade union federations results from the freely expressed desires of Union membership.
- (3) other types of labor organizations are not excluded provided they are not acting contrary to Allied Control authority policy;

- (4) the pace of development of trade union Zonal federations referred to in 3(a) and (b) above be determined by Zone Commanders when satisfied that there is an actual desire of trade union members to federate.

4. No law or regulations by the Allied Control Authority is necessary for Zone Commanders to provide for the formation of free trade union federations within their respective Zones. Such authority is contained in Part III Paragraph 10 of the Potsdam Declaration.

5. The Directorate of Manpower considers that it would be appropriate and timely to give consideration once more to the promulgation of a Law on Formation, Control, and Functions of Trade Unions. Therefore, the Directorate requests that the Coordinating Committee charge it with the preparation of the above proposed law,

6. The second part of General KOELTZ's proposal deals with the question of contact between the World Federation of Trade Unions and the Allied Control Authority. General KOELTZ proposed to instruct the Manpower Directorate to study the question of establishing consultative bodies on trade union problems, which will consist of

- (1) Representatives of the Manpower Directorate of the Allied Control Authority;
- (2) Representatives of the World Federation of Trade Unions;
- (3) Representatives of German trade unions of each of the four zones.

It was further proposed that the Control Council consider the question of permanent cooperation of representatives of the World Federation of Trade Unions and the Allied Control Authority.

7. The Manpower Directorate recommends that the Allied Control Authority approve the following statement of principle:

"The Allied Control Authority recognizes, to the extent facilities and circumstances permit, the desirability of obtaining the views of international labor organizations on German trade union questions through the medium of visits to Germany where they could meet with representatives

of the Manpower Directorate of the Allied Control Authority and representatives of German Trade Unions of the four zones."

8. It is further recommended that the Allied Control Authority inform the World Federation of Trade Unions that meetings with representatives of the Allied Control Authority and German Trade Unions may be arranged in accordance with the above statement of principle.

CONL/P(46)27

10 April 1946

CONL/M(46)11

ALLIED CONTROL AUTHORITY

CONTROL COUNCIL

MINUTES

49. REPLY TO RECOMMENDATIONS OF THE WORLD FEDERATION OF TRADE UNIONS

The Meeting considered CONL/P(46)27.

THE MEETING:

- (49) (a) approved CONL/P(46)27
- (b) referred paragraph 3 to the Legal Directorate for drafting in the form of a directive.*)
- (c) instructed the Allied Secretariat to make the appropriate reply to the W.F.T.U.

*) see Directive No. 31, page 167

COORDINATING COMMITTEE

Draft Cable to Combined Food Board on Fertilizer Requirements
for 1946/1947

The Potsdam agreement specifies that German agriculture must be maximized.

It is imperative that the maximum quantity of fertilizer be made available to German agriculture.

Scarcity of food has already forced reduction of German rations to a point below the recommended subsistence level.

Due to the war damage and to reduction in the production of basic slag, the mineral fertilizer industry of Germany cannot through its own efforts supply Germany with the required quantity of fertilizer.

It is requested that you include Germany in your fertilizer and phosphate rock allocations for the year 1946/47 on the basis of the following information:

NITROGEN (in thousands of metric tons)

Requirements	535
Production	200
Essential	335

FINISHED PHOSPHATE FERTILIZER (in thousands of metric tons P_2O_5)

Requirements	688
Production	175
Imports Required	513

The above production of 175,000 metric tons of P_2O_5 will require an allocation of 525,000 metric tons of phosphate rock.

We appreciate that there is a world shortage of fertilizers. It should be borne in mind, however, that every ton of fertilizer required by Germany which is not made available, will mean a far greater tonnage and money value of food that must be supplied by the four nations to fulfil their military government responsibility. It is desired, therefore, that you give Germany proper consideration in your annual allocations and permit one or more accredited representatives of the Allied Control Council to be heard during the meetings when such allocations are discussed.

It is further pointed out that Germany will have surplus potash for export which will undoubtedly be allocated by you to the other countries, assuming that production estimates are realized, we hope that this surplus will amount to 510,000 metric tons of K_2O .

More detailed information can be furnished you on request.

Approved at Berlin 12 April 1946

CORC/P(46)135

CONTROL COUNCILDIRECTIVE

NO. 28

Reports on Disposal of German War Material in GermanyTHE CONTROL COUNCIL DIRECTS AS FOLLOWS:

1. The destruction or disposal of captured or surrendered German war material located in Germany will be completed as expeditiously as possible.

2. The Commander of each Occupation Zone of Germany will furnish to the Allied Control Authority a progress report on the disposal of German war material to include the following information:

- a. Total war material found to date
- b. Amounts of war material destroyed or otherwise disposed of during the period covered by the report,
- c. Cumulative amounts of war material destroyed or otherwise disposed of to date.
- d. Balance of war material for destruction or disposal.

3. Reports will be submitted every six months on the 30th of June and 31st of December as of the 1st of June and 1st of December respectively, in the form shown in Appendix 'A' attached,

Done at Berlin, the 26th day of April 1946.

/s/ Lucius D. Clay
/t/ LUCIUS D. CLAY
Lieutenant General

/s/ B. H. Robertson
/t/ B. H. ROBERTSON
Lieutenant General

/s/ L. Koeltz
/t/ L. KOELTZ
General de Corps d'Armee

PROGRESS REPORT ON DISPOSAL OF GERMAN WAR MATERIAL IN GERMANY

APPENDIX 'A'

19

1. Submitted herewith is a half yearly report for the period ending 19 covering the final disposal of German war material in the occupation zone of Germany.

ITEM	UNIT	TOTAL FOUND TO DATE	DESTROYED OR DISPOSED OF DURING THIS PERIOD	DESTROYED OR DISPOSED OF TO DATE	BALANCE FOR DISPOSAL	REMARKS
SECTION I Ammunition and Explosives, (Except Naval)						
(a) Ammunition (except chemical warfare ammunition)	Metric Ton					
(b) Explosives	"					
(c) V-1 and V-2	"					
SECTION II Armaments (Except Naval)						
(a) Machine Guns	Each					
(b) Pistols, revolvers, rifles, and other small arms	"					
(c) Automatic Cannon, Guns, Howitzers, Mortars, Rocket-launchers, and Projectors.	"					
(d) Fire-control instruments, aiming and sighting devices, sound-ranging and flash-spotting equipment, military optical instruments.	Metric Ton					

ITEM	UNIT	TOTAL FOUND TO DATE	DESTROYED OR DISPOSED OF DURING THIS PERIOD	DESTROYED OR DISPOSED OF TO DATE	BALANCE FOR DISPOSAL	REMARK
SECTION II (Continued)						
(e) Searchlights	Each					
(f) Other armaments, spare parts, accessories, etc	Metric Ton					
SECTION III Armored Equipment						
(a) Tanks, armored cars, self propelled guns and armored personnel carriers	Each					
(b) Armored railroad rolling stock	"					
(c) Other armored equipment, including spare parts and accessories	Metric Ton					
SECTION IV Signal and Communications Equipment						
(a) Telephone, telegraph and radio equipment	Each					
(b) Cipher equipment	Metric Ton					
(c) Other signal and communication equipment including spare parts and accessories	"					
SECTION V Engineer Equipment						
(a) Demolition equipment	Metric Ton					
(b) Bridging equipment and assault boats	"					
(c) Other engineering equipment, spare parts and accessories	"					

ITEM	UNIT	TOTAL FOUND TO DATE	DESTROYED OR DISPOSED OF DURING THIS PERIOD	DESTROYED OR DISPOSED OF TO DATE	BALANCE FOR DISPOSAL	REMARKS
SECTION VI Chemical Warfare Equipment						
(a) Bulk gases	Metric Ton					
(b) Generators for bulk gases, flame throwers	" "					
(c) All defensive chemical warfare equipment.	" "					
(d) Chemical Warfare Ammunition	" "					
SECTION VII Special Aviation Material						
(a) Military single-engine aircraft	Each					
(b) Multi-engine military aircraft	" "					
(c) Training & civilian aircraft	" "					
(d) Gliders	" "					
(e) Lighter-than-air aircraft	" "					
(f) Aviation engines	" "					
(g) Catapult or launching equipment	" "					
SECTION VIII Warships						
(e) Surface ships and vessels of all types relating to Category "C" of the Tripartite Naval Commission's Report on the allocation of the German fleet. Number of vessels of each type.	Each					
(b) U-boats	" "					
(c) U-boat sections	" "					
(d) Machinery and spare parts	Metric Ton					

COORDINATING COMMITTEE

SUBJECT : Allocation and Issue of the Supply of Tobacco
Tax Labels in Stock of the Former Reichsdruckerei.

TO : Allied Kommandatura, Berlin (Attention: Chairman, Chief
of Staff)

The Coordinating Committee has directed that you forward the following instruction to the authorized representative of the Allied Authorities in the former Reichsdruckerei:

"You are hereby authorized and instructed to deliver one-fifth of the stocks of the cigarette, cigar and tobacco tax labels of each denomination which are at present stored at the former Reichsdruckerei to any duly authorized officer of the Soviet, US, British or French Finance Divisions who requests you to make such delivery and who produces a letter of authority signed by the Chief or Deputy Chief of the respective Finance division.

"You will prepare in duplicate a detailed list of all Cigarette, cigar and tobacco tax labels so delivered, and both copies of the list will be signed and dated by yourself and by the officer to whom the delivery is made. One copy will be retained by you as a voucher, and the other will be retained by the officer taking delivery.

"Pending further instructions you will retain in your custody the remaining one-fifth of the stocks of tax labels, delivery of which is not claimed by any of the respective Finance Divisions.

Approved at Berlin 26 April 1946

CORC/i(46)137
(DFIN/i(46)32)

COORDINATING COMMITTEEAmendment to Article III of Control Council Law No. 5

Note by Allied Secretariat

1. Article IV of Control Council Law No. 5 gives the power to the German External Property Commission upon unanimous agreement to add from time to time to the categories of persons affected by Articles II and III of this Law, unless such addition is vetoed by the Allied Control Council within thirty (30) days of agreement by the Commission.

2. On 5 April 1946, the Commission unanimously accepted the following amendment to Article III of Law No. 5 as proposed by the Legal Directorate so as to include an additional category of persons as specified by Article IV of Law No. 5.

"In accordance with Article IV of Control Council Law No. 5, there shall be added to the category of persons covered by Article III also those persons who were German citizens on or after 1 September 1939 and who at any time have lived abroad (continuously or intermittently) and who aided or attempted to aid Germany or her allies during the war or who assisted Germany or her allies in the preparation for war, but it shall not apply to any citizen of any country annexed or claimed to have been annexed by Germany since 31 December 1937".*)

3. The German External Property Commission will consider this new wording to be in force on 5 May 1946, unless this amendment is vetoed by the Control Council before the expiration of 30 days of agreement by the Commission.

4. This paper is circulated for the consideration of the Coordinating Committee at its 51st Meeting.

Approved at Berlin 26 April 1946

CORC/P(46)14.0

*) This paragraph was published as Regulation No. 1 of the German External Property Commission in No. 8 of the Control Council Gazette for Germany. The Regulation is dated 10 May 1946 and is signed by JAMES GREENSHIELDS, Brigadier, P. RENOUF, I. P. DENISOV and SAMUEL KRAMER.

COORDINATING COMMITTEEInstallation of Equipment Necessary for Navigational Safety Over
Germany

Note by Allied Secretariat

1. Outline of the Subject

- a. Safety in the air requires the use of all navigational aids as well as a satisfactory communications network.
- b. All navigational aids which are at present necessary for aircraft, are not of the same uniform pattern, as each country has in the past developed its own system without coordination with the system of other countries.
- c. As a result, in order to achieve safety in air navigation and, in particular, to secure regulated and safe air traffic in the approved corridors over Germany, and in the control zone of Berlin, it is essential to install navigational aids on the ground.
- d. It follows that to meet the needs of aircraft of one of the occupying nations it might be necessary to install, outside the zone of occupation of that nation, all navigational aids which would correspond to the special equipment fitted to aircraft of that nation.

2. Recommendations

The Air Directorate requests the Coordinating Committee to approve the following proposal:

- a. Any one of the four occupying nations will have the opportunity to have the use of the necessary aids for the safety of aviation in any part of occupied territory of Germany which will guarantee full safety to its aircraft.

b. If this need obliges one of the four nations to request installation and use of navigational aids outside its own zone of occupation, no installation of any facility can be started without a previous bilateral agreement between the two nations concerned.

c. Installation and operation of safety of flight navigational aids in the zone of occupation of one nation for use by aircraft of another nation, could be carried out in the following manner:

- Either by the nation which needs these navigational aids using its own equipment and personnel,
- Or by the Nation in whose zone of occupation the station is to be installed.
- Or, using the equipment of the nation requiring navigational aids, by the personnel of the nation occupying the zone.

3. This paper was approved by the Air Directorate at its 28th Meeting and is circulated for the consideration of the Coordinating Committee at its 51st Meeting.

H. A. GERHARDT, Colonel

T. N. GRAZEBROOK, Brigadier

L. J. CALVY

A. A. KUDRIAVTSEV, Major

Allied Secretariat

Approved at Berlin 26 April 1946

CORC/F(46)141

COORDINATING COMMITTEE

Procedure for the Restitution of Looted Property Located in Plants
Subject to Deliveries on Account of Reparations

Note by Allied Secretariat

1. The Reparations, Deliveries and Restitution Directorate approved the following procedure on the above subject (Conclusion (70) of DRDR/M(46)11) and forwarded it to the Zone Commanders for compliance.

a. The attention of the Zone Commanders should be drawn to the necessity of making all possible searches and investigations to find restitutable articles in plants declared available for reparations as soon as possible after the declaration of availability, so that the Economic Directorate could be made aware of the results of these investigations before allocating the plant or machine,

b. The Zone Commander may make use of the Reparations and Restitution Valuation Teams to report items which may be subject to restitution. The attention of these missions and teams will be drawn to the machines installed since the beginning of the war.

2. It is recommended that the Coordinating Committee:

a. Take note of the procedure contained in Paragraph 1, above.

b. Confirm the action of the Reparations, Deliveries and Restitution Directorate in forwarding it to the Zone Commanders for compliance.

c. Instruct the Secretariat to forward it to the Allied Kommandatura Berlin for necessary action.

3. This paper is circulated for the consideration of the Coordinating Committee at its 51st Meeting.

H. A. GERHARDT, Colonel

T. N. GRAZEBROOK, Brigadier

L. J. CALVY

A. A. KUDRIAVTSEV, Major

Allied Secretariat

Approved at Berlin 26 April 1946

CORC/P(46)142

CONTROL COUNCIL

Law No. 24

Repeal of the Law of 30 September 1936

The Control Council enacts as follows:

The Law of 30 September 1936 (RGBl. I 853) concerning the Inspection of Judicial Public Books and Registries (Gesetz ueber die Einsicht in gerichtliche oeffentliche Buecher und Register), and all provisions issued pursuant to that law, are hereby repealed.

This law shall take effect on the date of its publication,

Done at Berlin the 29th day of April 1946.

/s/Joseph T. McNarney
/t/JOSEPH T. McNARNEY
General

/s/Montgomery of Alamein
/t/MONTGOMERY OF ALAMEIN
Field Marshall

/s/P. Koenig
/t/P. KOENIG
General de Corps d'Armee

/s/V. Skolovsky
/t/V. SOKOLOVSKY
Army General

"1800 hours, 4 May 1946 was agreed to as the date of promulgation of Law No. 24".

CONL/P(46)28(Final)
29 April 1946

CONTROL COUNCIL

Law No, 25

Control of Scientific Research

In order to prohibit for military purposes scientific research and its practical application, to control them in other fields in which they may create a war potential, and to direct them along peaceful lines, the Control Council enacts as follows:

Article I

All technical military organizations are hereby dissolved and prohibited, Equipment and buildings of a purely military character shall be destroyed or removed, Equipment and buildings having a possible peace time application may be utilized for that purpose with the permission of Military Government.

Article II

1. Applied scientific research shall be prohibited on:

a. Any matter of a wholly or primarily military nature;
or

b. Any of the matters specified in Schedule "A" hereto,

2. Applied scientific research on any of the matters specified in Schedule "B" hereto shall be prohibited unless the written permission of the Commander of the Zone in which the research establishment is located is first obtained.

Article III

1. Fundamental scientific research of a wholly or primarily military nature shall be prohibited.

2. Fundamental scientific research which is not of a wholly or primarily military nature shall be prohibited only insofar as it requires for its conduct installations which, on account of their size or their special or peculiar construction, would be valuable for any applied scientific research of a wholly or primarily military nature,

Article IV

1. Scientific research not prohibited by Article II or III of this Law may be conducted only by a research establishment authorized by the appropriate Lone Commander,
2. Subject to the provisions of this Law, the Zone Commander may take all steps, including inspection, and issue all regulations, which he may consider necessary to ensure effective control of the research establishment,

Article V

1. Each authorized research establishment shall submit to the appropriate Zone Commander the following reports:
 - a. Technical reports every four months showing details of all its activities, with sufficient data to enable competent persons to verify the correctness of the results reported, together with all publications of the establishment and a complete report listing the title of each problem studied, its scope, possible applied uses, sources of funds, amount of funds expended, and the person in charge, and any other matter required from time to time by the Zone Commander.
 - b. Annual reports in as non-technical language as possible covering all work done in the year.
 - c. A complete statement of the plant, apparatus and equipment existing in the research establishment, as may be required by the Zone Commander,
 - d. A complete statement of accounts upon the demand of the Zone Commander.
2. A research establishment shall file with the Zone Commander a written notification, including a description of the proposed work and its potentialities, before instituting permitted research of the following types:
 - a. Fundamental scientific research on matters specified in Schedule "A"; or
 - b. Applied scientific, research on matters not specified in Schedule "A" or "B".

Article VI

1. All research and technical personnel employed in a research establishment shall be registered with the appropriate Zone Commander in accordance with regulations issued by him.

2. Senior officials or scientists who were members of the National Socialist German workers' Party (N.S.D.A.F.) or members of other Nazi organizations with more than nominal participation in its activities shall be removed and their replacement effected only by persons with suitable political records. Scientific work in general or on the development of weapons in the past shall not, in itself, be regarded as ground for dismissal or other punishment.

Article VII

In this Law -

a. "Applied scientific research" means:

- (i) research work directed to the conversion to industrial use of any old or new scientific knowledge or Principle; or
- (ii) the conversion to pilot plant or engineering development stage of any results of fundamental scientific research; or
- ((iii) research work directed to the improvement of a known industrial process of manufacture or engineering or to the introduction of a new process of production of any manufactured articles; or
- (iv) field and other practical trials of new devices and the testing of preproduction models.

b. "Fundamental scientific research" means research of an exploratory character in any field directed towards the discovery of new knowledge, theories, principles or laws of nature, or of new compounds or materials.

c. "Research establishments" includes any research unit, and any university, Technische Hochschule, institute, industrial company and other agency containing a research unit.

Article VIII

Without prejudice to the liability of any other person under this Law, the responsibility for compliance therewith shall rest upon any person in charge of the research establishment as well as any person in charge of any unit thereof,

Article IX

Any person, organization, or group of persons violating any provision of this Law shall be liable to criminal prosecution in a Military Government Court,

Article X

1. Any person violating any provision of this Law shall be subject to one of the following penalties, with or without confiscation of property, in whole or in part:-

- a. Imprisonment (Gefangnis) for a term not exceeding five years;
- b. Hard labor (Zuchthaus) for a term of not less than one year and not more than fifteen years;
- c. In serious cases, hard labor for life, or death.

2. Any organization or research establishment violating any provision of this Law may be dissolved and its property confiscated, by order of the court.

Article XI

This law shall come into force on the date of its publication.

Done at Berlin the 29th day of April 1946.

/s/ Joseph T. McNarney
/t/ JOSEPH T. McNARNEY
General

/s/ Montgomery of Alamein
/t/ MONTGOMERY OF ALAMEIN
Field Marshal

/s/ P. Koenig
/t/ P. KOENIG
General de Corps d'Armee

/s/ V. Sokolovsky
/r/ V, SOKOLOVSKY
Army General

"1800 Hours, 7 May 1946 was agreed to as the date of promulgation of Law No. 25."

CONL/P(46)29(Final)
29 April 1946

CONTROL COUNCIL LAW NO. 25SCHEDULE "A"Prohibited Applied Scientific research

- (i) Applied nuclear physics.
- (ii) Applied aerodynamics, aeronautical structural engineering and aircraft power plants.
- (iii) Rocket propulsion, jet propulsion, and gas turbines.
- (iv) Applied hydro-dynamics, particularly underwater acoustics and marine propulsion.
- (v) Ship construction and the behaviour of ships.
- (vi) Electromagnetic, infra-red and acoustic radiation which has as its purpose:
 - (a) the detection of objects or obstacles; or
 - (b) the determination of the position of vehicles, aircraft, ships, submarines or missiles; or
 - (c) the remote and the automatic control of vehicles, aircraft, ships, submarines or missiles; or
 - (d) the destruction of living matter, except for specifically medicinal and public health purposes
- (vii) All electronic methods of coding and the achievement of speech security.
- (viii) The chemicals specified in Schedule C.
- (ix) The methods of manufacture (but not the methods of utilization) of the chemicals specified in Schedule D.

SCHEDULE "B"

Applied Scientific Research Requiring Prior Permission

- (i) Electromagnetic, infra-red and accoustic radiation which has as its purpose:
 - (a) communication of intelligence by telephony or telegraphy;
or
 - (b) provision of public broadcast or television services;
or
 - (c) location of fixed transmitters by direction finding methods; or
 - (d) other applications not banned under Schedule "A".
- (ii) Valves, tubes or other devices which employ emission of electrons, either thermionic or from cold surfaces.
- (iii) Industrial explosives.
- (iv) Ball and roller bearings,
- (v) Ammonia and methanol produced by high pressure hydrogenation.
- (vi) Synthetic oil.
- (vii) Radioactivity other than for medical purposes.
- (viii) Synthetic rubber.
- (ix) The methods of utilization of the chemicals specified in Schedule "D".

CONTROL COUNCIL LAW NO. 25SCHEDULE "C"Chemicals on Which Applied Scientific Research is ProhibitedHigh explosives.

NOTE: By "high explosives" is meant organic explosives used as fillings for shells, bombs, etc.

Double-base propellants (i.e. nitrocellulose propellants containing nitro-glycerine, diethyleneglycol dinitrate or analogous substances).

Single-base propellants

Nitroguanidine

Nitroglycerine

Initiating explosives

Dinitrotoluene

Poison war gases (including liquids and solids customarily included in this term) with the exception of:

Chlorine

Phosgene

Hydrocyanic acid

Chlorinated ketones

Halogenated carboxylic acids and their esters

Cyanogen halides

Lachrymatory halogen derivatives of hydrocarbons

Rocket fuels: - Hydrogen peroxide of above 50% concentration
Hydrazine hydrate
Methyl nitrate

Highly toxic products from bacteriological or plant sources (with the exception of those bacteriological and plant products which are used for therapeutic purposes).

CONTROL COUNCIL LA? NO. 25SCHEDULE "D"Chemicals on Which Applied Scientific Research Is Prohibited in
Respect to Methods of ~~Manufacture~~, and Require Prior Permission
in Respect to Methods of Utilization

Nitrocellulose

Potential poison war gases; ~ Chlorine

Phosgene

Hydrocyanic acid

Chlorinated ketones

Halogenated carboxylic acids and their
esters

Cyanogen halides

Lachrymatory halogen derivatives of
hydrocarbons

Hydrogen peroxide having a concentration of 50% or less,

Liquid oxygen

Activated carbons

White phosphorus

Incendiary compositions, e.g. Thermites

~~Smoke-producing~~ substances, e.g. titanium tetrachloride and silicon
tetrachloride

10 April 1946

CONL/M(46)11

CONTROL COUNCILMINUTES51. PRESENTATION OF CHIEFS OF MILITARY MISSIONS ACCREDITED TO THE ALLIED CONTROL AUTHORITY .

The CHAIRMAN pointed out that since the month of January when Chiefs of nine such Missions had been presented to the control Council, five additional nations had presented their credentials to the Secretariat of the Allied Control Authority:

Brazil	India
Denmark	Luxemburg
Greece	

According to informal advice New Zealand and South Africa, which had been originally authorized to send Missions, probably would not do so. He therefore proposed that the Chiefs of the five recently arrived Missions be presented to the Control Council at its next Meeting .

29 April 1946

CONL/M(46)12

MINUTES53. PRESENTATION OF CHIEFS OF MILITARY MISSIONS.

There were presented to the Members of the Control Council, the Chiefs of the following Military Missions:

Brazil	India
Denmark	Luxemburg
Greece	

COORDINATING COMMITTEEEstablishment of a System of Reporting on
Restoration and Maintenance of Highways.

In order that the Transport Directorate and the Committee on Highways and Highway Transport will have available periodical reports concerning the condition of roads and highways, to determine the degree of implementation of the Potsdam Agreement on the question of restoration of transport, the Transport Directorate proposes :

1. That each Highways and Highway Transport Committee Delegation semi-annually in June and December will present to the Highways and Highway Transport Committee reports on the condition of roads and highways according to the form which each Delegation will find most convenient or that which corresponds to the form of reporting established within each Zone.
2. In view of the fact that the Coordinating Committee forbade the construction of new roads and the completion of unfinished roads without prior permission from the Zone Commander who acts in accordance with directives of the Allied Control Authority, it is necessary to require that each Delegation always have at its disposal similar data and once a month report to the Committee concerning all new roads and new bridges under construction, indicating the capacity of a ~ & , technical data, period of the construction jobs in toto or by districts, from whom the permission was obtained for construction, and for what purpose.

Approved at Berlin 3 May 1946

CORC/P(46)149

COORDINATING COMMITTEERequest from ECITO for Permanent Contact with the Allied Control Authority

Note by Allied Secretariat

1. On 4 April 1946 the Allied Secretariat wrote to the Directorate of Transport under reference ASEC(46)276 enclosing a letter from the European Central Inland Transport Organization seeking the agreement of the Control Council to the establishment of a permanent liaison between that organization and the Allied Control Authority.

2. The Directorate of Transport considered this question at their meeting on 23 April but were unable to reach agreement (Minute 218 of DTPT/M(46)11).

3. The American and Soviet Delegations considered that conditions in Germany had not changed since the last request of ECITO to establish an office in Berlin was rejected by the Coordinating Committee (Conclusion (8) of COMC/M(46)1) and took the view that so long as there was no German Central Transport Organization which could keep central records of the condition of transport facilities of all zones, any question of liaison with ECITO would have to remain the responsibility of each zone to decide.

4. The British Delegation proposed that the Directorate of Transport should recommend to the Coordinating Committee the appointment of an officer in Berlin for liaison with the Directorate and the appointment also of a liaison officer for each of the zones to be at the service of the Zonal Transport Authority.

5. The French Delegation agreed with the British proposal and pointed out that it was the four occupying powers and not Germany who had signed the ECITO Agreement and that even if a German Central Transport Organization were established, the responsibility for liaison with ECITO would have to be undertaken by the Allied Control Authority and not by the German Central Organization.

6. This paper is circulated for the consideration of the Coordinating Committee at its 52nd Meeting. *)

H. A. GERHARDT, Colonel

T. N. GRAZEBROOK, Brigadier

L. J. CALVY

*) see page 115

A. A. KUDRIAVTSEV, Major

4th May 1946

CORC/M(46)23

COORDINATING COMMITTEE

MINUTES*)

256. REQUEST FROM ECITO FOR PERMANENT CONTACT WITH THE ALLIED CONTROL
AUTHORITY

The Meeting considered CORC/P(46)157.

THE MEETING:

(256) Agreed:

- (a) to inform ECITO that there was no change in their position with regard to the establishment in Berlin of an office of liaison with the Allied Control Authority;
- (b) that the agreement of the Coordinating Committee was not necessary for the establishment in Berlin of an office by a representative of ECITO for the maintenance of liaison with zone commanders,

*) Meeting of 3 May 1946

COORDINATING COMMITTEETransfer of Central Registry of War Criminals and Security
Suspects

Note by Allied Secretariat

1. At its Forty-Second Meeting, 30 April 1946, the Legal Directorate discussed its responsibilities concerning CROWCASS in accordance with CORC/P(46)16 (Final).
2. The British, United States and French members of the Directorate agreed:
 - a) To submit for the information of the Coordinating Committee the attached Report of the United States Permanent Commissioner for the control of CROWCASS dated 10 April 1946, at the same time indicating their concurrence with the views expressed in Paragraphs 4 and 5 therein on the effect of moving CROWCASS.
 - b) To submit to the Coordinating Committee the further American statement dated 22 April 1946, attached hereto as Appendix 'A'.
3. The Soviet member on the other hand proposed the following course:
 - a) To inform the Coordinating Committee that the American authorities, in carrying out its decision, are preparing for the transfer of CROWCASS to Berlin,
 - b) To ask the Coordinating Committee to give the Allied Kommandatura instructions to put at its disposal a suitable location for CROWCASS, with adequate measures for safeguarding it.
 - c) To request the Coordinating Committee to come to a decision assigning to each of the four powers the task of supplying technical personnel for CROWCASS, because of its move to Berlin; and to take urgent measures for the quadripartite financing of CROWCASS.

4 The attached paper on the above subject is submitted for consideration by the Coordinating Committee at its Fifty-Third Meeting to be held on 6 May 1946.

T.N. GRAZEBROOK, Brigadier

J.L. BAUDIER

A.A. KUDRIAVTSEV, Major

H.A. GERHARDT, Colonel.

Allied Secretariat

CORC/P(46)162

4 May 1946

CORC/P(46)162
(DLRG/P(46)42)

COORDINATING COMMITTEE

Report of the United States' Permanent
Commissioner for the Control of CROWCASS

1. The Legal Directorate, at its Thirty-Sixth Meeting, held 19 March 1946, by Conclusion 104,

- a. agreed that the Permanent Commission on the control of CROWCASS should meet in Paris in the CROWCASS Building on 25 March 1946 at 1200 hours.
- b. agreed to refer to the permanent Commission the question whether it was desirable to continue: the registration of prisoners-of-war and whether it was desirable to transfer all materials concerning prisoners-of-war, other than those included in the List of war Criminals, from Paris to Berlin,
- c. agreed to charge the Permanent Commission with the duty of submitting a report by 15 April 1946 on the work which they had accomplished together with recommendations regarding the transfer of the Central Registry from Paris to Berlin (Personnel, buildings, transfer).

2. At the request of Mr. Visyagoff, First Secretary and Counsellor of the Soviet Embassy at Paris, the meeting of the Permanent Commission scheduled for 25 March was postponed to 28 March at 1400 hours and again at his request, was further postponed to 29 March at 1400 hours. Accordingly, the other members of the Permanent Commission (M. Colombies, representing France; Col. Harden representing Great Britain; and Lt. Col. Frstcher, representing the United States) assembled at the CROWCASS Building in Paris at 1400 hours, 29 March 1946. They were then told that Mr. Visyagoff had informed the Director of CROWCASS that he had been instructed by his Government not to attend the meeting. In consequence of this announcement, a formal meeting of the permanent Commission was not held but the members present discussed informally the questions raised by the conclusion of the Legal Directorate referred to above.

3. By identical letters of 13 March 1946 to the other members of the Permanent Commission, I proposed that the Commission approve recommendations made by the Director of CROWCASS that the processing of Prisoner of War Forms be discontinued and that the Finger Print

Section be eliminated. In these letters I stated that, if I received no replies thereto by 31 March 1946, I would assume that the other members of the Permanent Commission had no objection to that proposal. At the informal discussion held 29 March 1946 the British and French members acquiesced in the proposal. The Soviet member has not replied to my letter. Accordingly, the Director of CROWCASS has been informed that the members of the Permanent Commission have interposed no objections to the carrying out of his recommendations.

4. All of the members of the remanent Commission who were present at the informal discussion held 29 March 1946 were of the opinion that CROWCASS should not be moved from Paris to Berlin or elsewhere in Germany while it remained an active operating agency. Mr. Visyagoff expressed a similar personal view to me on 26 March 1946 but stated that he would, of course, be bound by the instructions of his Government on this point.

5. The reasons for the opinion of the members of the Permanent Commission that CROWCASS should not be moved are that:

- a. CROWCASS need only be maintained as an active operating agency for a relatively short time, probably not over eight months.
- b. To move CROWCASS from Paris would prevent it from operating for from three to four months, at a period when its effective operation will be of greatest importance.
- c. The practical difficulties of moving CROWCASS to Germany are virtually insuperable. These difficulties include the problem of securing electrical power of proper voltage and cyclage for operating the complicated machinery used by CROWCASS, the problem of securing adequate working and storage space for the eight officers, six enlisted men and several hundred civilian employees required by CROWCASS and for the machinery, paper stocks and records, and the problem of securing and providing for the required employees. With regard to the last problem, it should be noted that, of the 395 French civilians now employed by CROWCASS, most of whom have been specially trained for the technical work they are performing, virtually none is willing to move to Germany. Because of the confidential nature of the work, it would not be appropriate

to employ Germans. Accordingly, although the changes referred to in paragraph 3 above will reduce the number of employees required, it would still be necessary to secure, house, food and train several hundred Allied nationals for work on a project which will probably not last beyond the end of this year.

6. For the reasons indicated in paragraph 2, above, I am unable to present an agreed report of the Permanent Commission on the questions presented by the Legal Directorate in its Conclusion No. 104 of 19 March 1946. This report is submitted by me individually in order that the Legal Directorate may be informed, so far as possible, of the views of the members of the Permanent Commission.

WILLIAM F. FRATCHER,
Lieutenant Colonel, Judge Advocate General's Department,
United States Commissioner and Chairman during April,
Permanent Commission for Control of CROWCASS.

4 May 1946

Appendix 'A' to
CORC/P(46)162

COORDINATING COMMITTEE

AMERICAN STATEMENT OF 22 APRIL ON THE TRANSFER OF
CROWCASS

1. In compliance with the directive of the Coordinating Committee of 17 January 1946 (CORC/P(46)16(Final) CROWCASS has been instructed to be ready to move from Paris to Berlin on 1 June 1946 and preparations for the move are now in progress,
2. The kited States is unwilling to provide any funds, equipment or personnel for the operation of CROWCASS in Paris after 1 June 1946.
3. Unless satisfactory provision is made for CROWCASS in some other/sector of Berlin, it will be moved to suitable quarters in the United States Sector on 1 June 1946.

7 May 1946

CORC/M(46)24

COORDINATING COMMITTEE

MINUTES

(Meeting of 6 May 1946)

267. TRANSFER OF CENTRAL REGISTRY OF WAR CRIMINALS AND SECURITY
SUSPECTS

The Meeting considered CORC/P(46)162.

THE MEETING:

- (267) (a) confirmed its previous decision that CROWCASS would move to Berlin on 1 June 1946;
- (b) instructed the Legal Directorate to consider the future employment of CROWCASS.

CONTROL COUNCILLaw No. 26TAX ON TOBACCO

THE CONTROL COUNCIL ENACTS AS FOLLOWS:

Article I

1. The ad valorem tax and the additional war tax on tobacco and tobacco products (Tabakwaren) are abolished and replaced by a single tax on the retail price of tobacco and tobacco products.

2. The specific tax on leaf tobacco for cigarettes is retained.

Article II

Tax rates on the items specified below shall be as follows:

1 Cigarettes:

- (a) where the retail price is 20 pfgs, each, or less, 80% of the retail price.
- (h) Where the retail price is greater than 20 pfgs. each, 90% of the retail price.

2 Cigars, 90% of the retail price

3. Pipe tobacco:

- (a) Bough-cut, 80% of the retail price.
- (b) Fine-cut, 90% of the retail price,

4. Leaf tobacco used in the manufacture of cigarettes, 850 RM 100 kg.

5. Cigarette paper, 10 RM per 1000 sheets.

6. Tobacco substitutes, 700 RM per 100 kg.

7. Snuff and chewing tobacco, 70% of the retail price,

- 8, Tobacco growers owning a cultivated area of not more than 50 sq. meters and not paying a tax on the weight of tobacco grown and having more than 15 bushes planted shall pay taxes in accordance with the following rates:

from 16 to 50 bushes 12 RM per annum

" 51 to 100 " , 24 RM per annum

" 101 to 150 " 36 RM per annum

" 151 to 200 " 48 RM per annum

Article III

An additional tax (Nachsteuer) in an amount equal to the difference between the old and new wholesale prices is imposed on all unsold tobacco and tobacco products (as comprised in Article II of this Law) on hand in wholesale commercial enterprises on the effective date of this law,

Accordingly ,

- (a) Wholesale dealers will furnish information as to their stocks of tobacco and tobacco products unsold at the time this law became effective,
- (b) They will collect the difference between the old and new wholesale prices.
- (c) They will remit such collections to the customs office.

Article IV

1, In the event of a deficiency of tobacco due to unsatisfactory causes Compensation Duty (Tabakausgleich) shall be levied, amounting to 4000 RM for every 100 kg. of home-grown tobacco and 10,000 RM for every 100 kg. of imported tobacco.

2, In conformity with the provisions of paragraph 1 of this Article, Article 63 of the Tobacco tax law of 4 April 1939 is amended as follows:

In subsection (1) amend 825 RM to 10,000 RM and 275 RM to 4000 RM.

Article V

The carrying-out decree of the Reichsminister of Finance of 6 April 1939 to the extent to which it relates to Article 69 of the German tobacco tax law of 4 April 1939 and provides for a reduction of tax rates on tobacco and tobacco products containing a proportion not less than 50% of home-grown tobacco is repealed.

Article VI

Article 75 of the Tobacco Tax Law of 4 April 1939 providing for subsidies to certain manufacturers operating prior to 1 October 1934 is repealed.

Article VII

All packages in which tobacco or tobacco products are packed after the effective date of this law for retail sale shall have imprinted thereon the quantity or weight and the quality and retail price of the contents,

Article VIII

The method of collecting all taxes hereunder shall be determined by the Zone Commander of each zone, insofar as this Law does not provide otherwise.

Article IX

Zone Commanders may, at the time of issue, impose a charge on tobacco ration cards issued in their zone in order to cover the costs of producing such cards.

Article X

All German legislation inconsistent with this Law is repealed or amended in accordance with the provisions of this Law.

Article XI

This Law shall come into force on the day of its publication.

Done at Berlin, the 10th day of May 1946

s/d _____
SHOLTO DOUGLAS,
Marshal of the Royal Air Force

s/d _____
P. KOENIG, General de Corps
d'Armee

s/d _____
V. SOKOLOVSKY, Army General

s/d _____
JOSEPH T. McNARNEY, General

"The date of publication is 17 May 1946 at 1800 hours."

CONL/P(46)35(Final)
10 May 1946

CONTROL COUNCIL

Law No, 27

Tax on Alcohol

The Control Council enacts as follows:

Article I

The rates of tax per hectolitre (Hectolitereinnahmen) on alcohol shall be as follows:

1. On spirits for beverage purposes: 11,470 RM.
2. On quantities not exceeding ten litres per annum and kept for home consumption by the distillers of fruit producing not more than one hundred litres per annum: 2000 RM.
3. On alcohol for the manufacture of perfume: 11,470 RM.
4. On undenatured alcohol issued to doctors, hospitals and pharmacists for medicinal, surgical, or pharmaceutical purposes: 850 RM.
5. On denatured alcohol for use in the preparation of medicaments and remedies for external application and disinfectants: 600 RM.
6. On alcohol for preparation of power spirits: 300 RM.
7. On alcohol for the preparation of vinegar: 150 RM.
8. On alcohol for cleaning, heating, cooking, or lighting: 150 RM.

Article 11

The tax rates specified in Article I of this Law are calculated on one hectolitre of 100% alcohol (Weingeist). The tax is levied on the proportionate alcohol content,

Article III

Water-free acetic acid shall be taxed at the rate of 200 RM per 100 kg. This tax will be additional to the tax of 150 RM per hectolitre provided for in sub-paragraph 7 of Article I of this Law on alcohol used in the manufacture of vinegar,

Article IV

1. All stocks of rectified alcohol in the hands of trade or industrial establishments at the time this Law goes into effect and which would have been subject to the new rates if they had been in refineries, are subject to the new tax.

2. Every owner of wholesale stocks of rectified alcohol shall make an immediate declaration of quantities and kinds held by him to the appropriate tax office.

3. The difference between the amount of the new tax and the old tax shall be paid at the appropriate tax office as a special tax within one month by the owner of the stocks,

Article V

1. Imprisonments and fines imposed under Articles 122 and 124 of the alcohol monopoly law of 8 April 1922 (RGBl. I, 405) as amended by the law of 25 March 1939 (RGBl. I, 604) for illicit distilling, false returns, concealment, and other related offences (Monopolhinterziehung) (Monopolhehlerei) shall not be less than -

a. Six months imprisonment,

b. 1000 RM fine.

2. Imprisonments and fines for infringement (Schwere Monopolordnungswidrigkeit) as defined in Article 126 of the law of 8 April 1922 as amended by the law of 25 March 1939 shall not be less than -

a. Three months imprisonment

b. 800 RM fine;

They shall not exceed -

a. Three years imprisonment

b. 300,000 RM fine.

3. Imprisonments and fines for corrupt practices as defined in Article 130 of the law of 8 April 1922 as amended by the law of 25 March 1939 shall not be less than -

a. Three months imprisonment

b. 1000 RM fine.

Article VI

All German legislation inconsistent with this law is repealed or amended in accordance with the provisions of this law,

Article VII

This law shall come into force on the date of its publication,

Done at Berlin the 10th day of May 1946.

s/d _____
SHOLTO DOUGLAS,
Marshal of the Royal Air Force.

s/d _____
P. KOENIG
General do Corps d'Armee.

s/d _____
V. SOKOLOVSKY,
Army General.

s/d _____
JOSEPH T. McNARNEY,
General.

"The date of Publication is 17 May 1946 at 1800 hours."

CONL/P(46)36(Final)
10 May 1946